

City of Taylorsville
SPECIAL CITY COUNCIL MEETING AND WORK SESSION
Minutes

Tuesday, August 8, 2006
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

SPECIAL CITY COUNCIL MEETING

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Vice-Chairman Jerry Rechtenbach
Council Member Bud Catlin
Council Member Les Matsumura
Council Member Lynn Handy

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Gerry Orr, City Finance Director
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Wayne Dial, Acting Chief of Police
Donald Adams, Economic Development Director
Gordon Haight, City Engineer
Rosie Rivera, Police Officer
Jean Ashby, Administrative Assistant

Excused:

Citizens: Lynn Marsh, Amber Preslar, Katie Larsen, Del Craig, Sharon Briggs, Winifred Hillbery, Cindy Moyle, Randy Hulbert, Bruce Wasden, Dama Barbour, JoAnn Good, Brent Van Wagoner, Jolene Dearden, Scott K. Fausett, Karen Eells, Joe Crown, John E. Gidney, Jack Frost, B. Frost, Fred Pickren, Merl Woodbury, Howard Stephenson, Don Russell, Kevin Moyle

SPECIAL CITY COUNCIL MEETING

18:32:41 Chairman Morris Pratt called the Special City Council Meeting to order at 6:32 p.m. and welcomed those in attendance. City Recorder Virginia Loader conducted a Roll Call Vote, wherein all Council Members were present.

18:34:20 Chairman Morris Pratt reviewed citizen comment procedures and requested comments from the Council Members once the public hearing has been closed.

1. Public Hearing – 6:30 p.m. – Compensation for Elective and Statutory Officers

18:35:37 City Administrator John Inch Morgan noted that the City Council adopted the fiscal Year 2006-2007 tentative budget subject to the Truth in Taxation hearing and the adoption of a tax rate consistent with the final adopted budget. He referenced figures, as recommended in the study performed by CBIZ. He presented the subject ordinance to reaffirm the adoption of compensation ranges for all positions within the City and establish the salary of the Mayor of the City of Taylorsville at \$70,000.00.

Chairman Morris Pratt opened the public hearing on this matter and called for citizen comments.

18:37:17 Amber Presler spoke against an increase in the Mayor's salary and suggested that increase be used for capital projects.

18:38:10 Dama Barbour expressed her support of the City Council but expressed her concerns and opposition in regards to a tax increase and an increase in wages.

18:40:16 Brent Van Wagoner said that he and his neighbors don't feel that they are very well informed regarding City issues. He said that he has emailed the City without a reply. He requested information regarding the CBIZ study and who proposed the Mayor's salary increase. He requested a timely response to his concerns.

18:42:28 Chairman Morris Pratt referred to written comments from Janice Auger and Carel Hicks who were unable to attend but requested they be part of the record. Those comments are as follows:

Janice Auger:

"I am unable to attend tonight's hearing due to a previous commitment. I request that this written statement be provided to each elected official. I further request that this statement be incorporated into the record of the public hearing for truth in taxation.

If I were there I would speak in opposition to the property tax increase. I am not opposed to a tax increase per se, but I am opposed to the extreme amount of the total increase that has been incorporated in to the 2006-07 budget.

I am attaching a simple spreadsheet that I prepared based on what Bernie and I paid in Taylorsville City property tax during 2005 compared to what we would pay in a one-year

period after all the increases and new taxes are implemented. This is well more than double.

To my way of thinking, that is severe. There are many people within the City who do not have an understanding of how much they will pay “out of pocket” because of the increased taxes and new taxes and fees. Inasmuch as the energy use taxes and the storm water utility fees have already been approved, I urge you to deny the property tax increase.

I have a good understanding of the demands of the budget and do not oppose a moderate increase in revenue streams for the City. However, the total increase of all the new fees plus the property tax increase is excessive and, in my opinion, unnecessary.”

Carel Hicks:

“I am against any tax increase that is not accompanied by an effort to make budget cuts. A responsible government would not increase taxes without first attempting to trim their budget. I am deeply disappointed in Taylorsville’s elected officials. You would have thought raising fees at every level would have been enough for one year.”

18:43:17 Randy Hulbert spoke in opposition to an increase to the Mayor’s salary. He also said that his neighbors chose not to attend this meeting feeling that they would not be heard. He requested a more open dialog with the citizens of Taylorsville and elected officials.

18:45:06 Joe Crown requested that the City provide ways to involve the citizens in their decisions.

18:47:51 John E. Gidney, Budget Committee, spoke in favor of the salary increase for the Mayor and encouraged the public to get involved in City government and attend City Council Meetings.

18:49:43 There being no further comments, Chairman Morris Pratt declared the Public Hearing closed.

18:49:51 Council Member Bud Catlin expressed his concerns regarding the proposed ordinance and said that he does not want to implement the CBIZ study recommendations all in one year.

18:51:46 Council Member Lynn Handy recommended an increase in the Mayor’s salary and said that he feels it is well deserved since there has not been an increase in the Mayor’s salary over a ten year period.

18:54:16 Chairman Pratt said that he is in favor of increasing the Mayor's salary but he is not in support of the CBIZ salary structure as proposed.

18:55:38 Council Member Matsumura explained his efforts in communicating with residents of his Council District. He encouraged communication from all residents of the City.

18:59:54 Council Member Jerry Rechtenbach offered clarification regarding the salary study and said that, although the timing of the salary study may not be the best, he is in favor of the CBIZ salary study. He explained that the City hired professionals to conduct the survey and the City should follow their recommendation.

2. **Ordinance No. 06-32 – Amending and Restating the Compensation Range for Statutory Employees and Other City employees and Setting the Compensation Range for the Mayor of the City of Taylorsville at \$70,000.00 Per Year – John Inch Morgan**

19:05:00 Following brief discussion, Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-32 – Amending and Restating the Compensation Range for Statutory Employees and Other City Employees and Setting the Compensation Range for the Mayor of the City of Taylorsville at \$70,000.00 Per Year. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-no, Rechtenbach-yes, and Catlin-no. **All City Council members voted and the motion passed 3 to 2.**

3. **Public Hearing – 6:30 p.m. – Truth in Taxation Hearing**

19:05:58 City Administrator John Inch Morgan read the published tax notice which stated the following:

“The City of Taylorsville is proposing to increase its property tax revenue. As a result of the proposed increase, the tax on a \$181,933.00 residence will be \$185.95, and the tax on a business having the same value as the average value of a residence within the City will be \$338.11. Without the proposed increase the tax on a \$181,933 residence would be \$161.70, and the tax on a business having the same value as the average value of a residence within the City would be \$294.00.

The 2006 proposed tax rate is 0.001858. Without the proposed increase the rate would be 0.001616. This would be an increase of 15.0%, which is \$24.25 per year (\$2.02 per month) on a \$181,933.00 residence or \$44.11 per year on a business having the same value as the average value of a residence within the City. With NEW GROWTH, this property tax increase and other factors, the City of Taylorsville will increase its property

tax revenue from \$3,430,071.00 collected last year to \$4,018,100.00 COLLECTED THIS YEAR WHICH IS A REVENUE INCREASE OF 17.58%.

All concerned citizens are invited to a public hearing on the tax increase to be held on Tuesday, August 8, 2006 at 6:30 p.m. at the Taylorsville City Hall, 2600 West Taylorsville Boulevard.”

19:07:24 Mr. Morgan clarified that the 2006 proposed tax rate is 0.001858.

Chairman Morris Pratt opened the public hearing on this matter and called for citizen comments.

19:16:22 Sharon Briggs requested information regarding the telecommunications tax and asked if the City is collecting its proper distribution. She also complimented the Murray Journal and asked if Taylorsville could have a paper specific to Taylorsville.

19:17:16 Mayor Wall explained that research is being done by Taylorsville, as well as other cities, to determine if the City is collecting the proper amount of tax distribution. He said that with the numerous zip codes within the City it is difficult to determine if the City is receiving its share.

19:19:38 Lynn Marsh offered comments regarding the increase in Property Tax, Storm Drain Fee, Utility Franchise Tax and requested that the City Council reconsider the increases and back off at least 5%.

19:22:45 Bruce Wasden, former Council Member, spoke in opposition to the tax increase and indicated that the City Council is going against the philosophy of the elected officials when the City was incorporated.

19:27:31 Mayor Wall addressed concerns of Mr. Wasden and explained the City's position for doubling its employees by forming a Police Department. He also explained that he is anxious to have a Metro Police Force valley wide but he is not willing to have the City participate if the cost of operation is more to the City than having their own police force.

19:29:45 Howard Stephenson, Utah Tax Payer's Association, requested clarification regarding the tax rate of .001858, a 6% tax on gas and electrical and 4% tax on telecommunications. He said that he is disappointed in the need for the tax increase and asked the City Council to reconsider their position. He said that Taylorsville has been referred to as a model city and he fears that image will no longer remain if the proposed taxes are assessed.

19:33:52 There were no additional citizen comments, and Chairman Pratt declared the public hearing closed.

4. Discussion of the 2006-2007 Fiscal Year Final Budget – *John Inch Morgan*

Discussion was held regarding the final budget for Fiscal Year 2006-2007.

19:34:09 City Administrator John Inch Morgan expressed the City's position in regards to contracting services. He explained how contract costs have increased for certain services; however, it still is more economical to contract for some services rather than providing them in house.

19:36:22 Mayor Wall addressed Senator Stephenson stating that legislation has actually caused the City to increase their taxes to meet the demands of legislation from the House of Representatives and the Senate.

19:37:52 Chairman Pratt said that he is very sensitive to the residents in his Council District and the average household income, etc. He also said that he is aware of the increases to fixed incomes and he would like to see lower rates on the taxes proposed.

19:39:29 Council Member Bud Catlin agreed with Chairman Pratt and said that he is opposed to increasing taxes.

19:41:47 Council Member Jerry Rechtenbach responded to Senator Stephenson's comments in regards to Taylorsville being a model city. Mr. Rechtenbach stated that the definition of model city should be redefined because within the City of Taylorsville he sees crumbling infrastructure, outdated sidewalks, curb and gutter, storm drains and power lines. He said that he has heard from businesses and developers urging the City to get involved to keep businesses as well as attract businesses. He further stated that it is easy to save money if you are not keeping up with maintenance issues and the day to day things that make the City a viable entity. Mr. Rechtenbach then reviewed prior meeting decisions and said that the Council has had opportunities to remove capital projects from the budget. He again encouraged them to remove capital projects from the budget to reduce the required increase.

19:46:18 Chairman Pratt said that he has been willing to remove capital projects in his District from the budget.

19:46:50 Council Member Les Matsumura said that he strongly believes that this process of reinvesting in the City should have been done years ago and now the City is playing catch up.

19:51:25 Council Member Lynn Handy said that he is looking to move into the present, reinvest in the City and make improvements for the future.

19:53:45 Former Council Member Bruce Wasden spoke again and stated that the City did invest in itself and he reviewed the many things that the City accomplished while he served as a Council Member.

19:55:28 Council Chairman Morris Pratt reviewed tax increases that are being adopted in other cities for the 2006-2007 Fiscal Year and, in comparison, Taylorsville City's tax increase is low.

19:56:19 Council Member Lynn Handy explained that in previous meetings the budget has been reviewed line by line wherein citizens have had the opportunity to participate in the process. However, at the time of those discussions, citizens have not chosen to stay at the meeting.

5. Ordinance No. 06-33 – Adopting the Final Budget; Making Appropriations for the support of the City of Taylorsville for the Fiscal Year Beginning July 1, 2006 and Determining the Rate of Tax and Levying Taxes Upon all Real Personal Property Within the City of Taylorsville, UT – *John Inch Morgan*

19:56:42 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-33 –Adopting the final Budget; Making Appropriations for the Support of the City of Taylorsville for the Fiscal Year Beginning July 1, 2006 an Determining the Rate of Tax and Levying Taxes Upon all Real Personal Property Within the City of Taylorsville. Council Member Lynn Handy on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-no, Rechtenbach-yes, and Catlin-no. **All City Council members voted and the motion passed 3 to 2.**

6. Ordinance No. 06-31 – Declaring Approximately 31,182 Square Feet of Real Property Located at or Near 5151 South 1100 West as surplus, Establishing a Minium Bid, and Establishing a Method to Determine the Highest and Best Economic Return to the City – *John Inch Morgan*

19:57:50 City Administrator John Inch Morgan deferred to City Attorney John Brems and Mr. Brems explained that the City purchased the subject property as a means to solve a storm drain problem in that area.

19:58:59 Mayor Wall explained that both developers adjacent to the property have expressed an interest to jointly own the property and use it for drainage purposes for their properties.

20:03:01 Council Member Bud Catlin **MOVED** to adopt Ordinance No.31 – Declaring Approximately 31, 182 Square Feet of Real Property Located at or Near 5151 South 1100 West as Surplus, Establishing a Minimum Bid of \$6,500 and Establishing a Method to Determine the Highest and Best Economic Return to the City. Council Member Jerry Rechtenbach

SECONDED the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

7. **Ordinance No. 06-34 – Authorizing and Funding the Allocation of Assistant Police Chief Within the City of Taylorsville Police Department – John Inch Morgan**

20:07:06 Mayor Wall presented the subject ordinance authorizing the allocation for an Assistant Police Chief in the Taylorsville City Police Department. He explained that by funding the positions of Chief of Police, Assistant Police Chief and by eliminating the Lieutenant positions the City can save approximately \$100,000 per year.

City Administrator John Inch Morgan explained that the proposed ordinance authorizes and funds the new allocation (position) of Assistant Police Chief within the City of Taylorsville Police Department and withdraws authorization for the allocation for the position of Lieutenant within the Police Department consistent with the fiscal year 2006-2007 budget. He explained that this action will not change the authorized expenditures to the Police Department Personnel budget nor will it change the approved expenditure budget for the department.

20:09:05 Lengthy discussion was held regarding the staffing procedures of the Police Department and the language of the proposed ordinance that stated: "...return to a position previously held by the individual should the Police Chief..."

20:30:01 Following discussion, Mr. Brems recommended language in the ordinance that states: "Be it further ordained and directed that changes to the City of Taylorsville policy manual will include the process where the incumbent for the position of Assistant Police Chief, when appointed from the ranks of the Taylorsville Police Department, will have the right to return to a sworn position should the Police Chief or the Administration determine that the City's interest are best served with a change in the organizational structure of the department."

20:32:18 Council Member Bud Catlin **MOVED** to adopt Ordinance No. 06-34 –Authorizing and Funding the Allocation of Assistant Police Chief within the City of Taylorsville Police Department with the above recommended language. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

8. Ordinance No. 06-36 – Approving Request for Indemnification and Legal Representation Stemming from a Law Suit Filed in the United States District Court Against Taylorsville City, A Body Politic, Larry Marx and Casey Davies for Actions Arising from Their Duties as an Employee of the City of Taylorsville -- *John Inch Morgan*

20:33:42 City Attorney John Brems presented Ordinance No. 06-36 regarding a legal suit being brought against former employee Larry Marx and current employee Casey Davies of the City of Taylorsville.

20:36:35 Council Member Bud Catlin **MOVED** to adopt Ordinance No. 06-36 –Approving request for Indemnification and Legal Representation Stemming from a Lawsuit Filed in the United States District Court Against Taylorsville City, a Body Politic, Larry Marx and Casey Davies for Actions Arising from Their Duties as an Employee of the City of Taylorsville. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

9. An Action by the City Council to Consider Advise and Consent for the Mayor’s Choice for the Chief of Police and Assistant Chief of Police – *Mayor Wall*

20:38:03 Mayor Russ Wall announced and introduced his choice for appointments within the Taylorsville City Police Department, as follows: Del Craig, as Taylorsville Police Chief, and Wayne Dial, as Assistant Taylorsville Police Chief. Mayor Wall called for the Council’s Advise and Consent for these appointments.

20:40:42 Del Craig addressed the City Council and expressed appreciation for his appointment to the position of Chief of Police.

20:42:16 Assistant Police Chief Wayne Dial expressed his appreciation for the support of the City Council.

20:42:47 Council Member Bud Catlin **MOVED** to approve the appointments of Del Craig, as Taylorsville City Police Chief, and Wayne Dial, as Taylorsville City Assistant Police Chief, as recommended by the Mayor. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Handy-yes, Matsumura-yes, Pratt-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

10. Other Matters

11. ADJOURNMENT

20:44:25 Council Member Bud Catlin **MOVED** to adjourn the Special City Council Meeting and convene the City Council Work Session. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Catlin-yes, Handy-yes, Matsumura-yes, Pratt-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:44 p.m.

CITY COUNCIL WORK SESSION

21:01:23 Chairman Morris Pratt called the City Council Work Session to order at 9:01 p.m. and welcomed those in attendance. All Council Members were present.

1. Discussion of General Plan Final Draft – Chapters 3, 4 and 5 – *Chairman Morris Pratt*

21:02:22 Community Development Director Mark McGrath presented Chapter 3 of the Taylorsville City General Plan Final Draft. Mr. McGrath noted the following changes proposed by the City Council.

- 1 - Stipulated residential densities will be consistent with existing standards, i.e.:
 - Low density residential: 0-5.9 units per acre
 - Medium density residential: 6-8.9 units per acre
 - High density residential: 9-12 units per acre
 - Medium density mixed use: 6-8.9 units per acre
 - High density mixed use: 9-12 units per acre
- 2 - The plan will recommend that a small area master plan be developed that will facilitate redevelopment on 4015 West. The plan will call for increased residential densities in a traditional town home pattern.
- 3 - The following decisions were made regarding the proposed land use map:
 - 4800 South and Redwood Road: High density mixed use
 - 6200 South and 2200 West (southwest corner): Neighborhood residential
 - 4700 South and 2200 West: Community commercial
 - Redwood Road at approximately 6600 South: Community commercial in front, low density residential in back
 - 4700 South between approximately 3400 West and 3600 West: Professional office

4 - Augment 1300 West Vicinity language to identify some of the City objectives in terms of water and sewer service

5 - Minor text amendments

2. Other Matters

3. ADJOURNMENT

22:53:55 Council Member Bud Catlin **MOVED** to adjourn the City Council Work Session. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Catlin-yes, Handy-yes, Matsumura-yes, Pratt-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 10:54 p.m.

Virginia Loader, City Recorder

Minutes approved: CC 08-16-06

Minutes Prepared by: Virginia Loader, City Recorder